

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
)	
Brian Leslie Smalley)	Examiner: Collins, Michael
)	
Serial No.: 10/523,887)	Art Unit: 3651
)	
Filed: September 6, 2005)	Confirmation No.: 4424
)	
For: DISPENSING PACKAGE)	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action mailed June 8, 2007, the Examiner is requiring restriction between the following groups:

Group I, claims 1-57, drawn to a paperboard carton; or

Group II, claims 58-59, drawn to a method of dispensing.

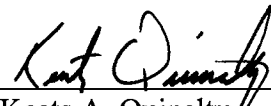
In response, Applicant hereby elects the invention of Group I (claims 1-57) for prosecution on the merits in the present application. This election is made without traverse. Applicant's election without traverse is not intended to be, and should not be interpreted as, an admission that Applicant necessarily concurs with the grounds of the restriction requirement. The election is being made solely for the purpose of expediting prosecution of the present application. Applicant reserves the right to pursue the subject matter for the non-elected claims of Group II in subsequently filed continuation or divisional applications.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees that may be required for the timely consideration of this Response under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 09-0528.

Respectfully submitted

6/13/07
Date



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Docket No.: R031 1160.1